

REMARKS

Claims 1-7 remain pending in the above-referenced application.

Claims 1-4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,205,834 to Moorehead in view of U.S. Patent No. 3,811,466 to Ohringer. The Examiner relies on Ohringer to show the limitation "wherein the mounting portion covers a minority of a surface area of the lumen occluding portion in which the slit is disposed." Applicants respectfully disagree. First, since Ohringer does not state that its drawings are drawn to scale, the proportions of the drawings cannot be relied on as accurate. See MPEP § 2125. Therefore, even if a mounting flange 13 appears to cover a minority of a surface of a diaphragm 17, that appearance cannot be regarded as evidence of the actual proportions of these elements. Second, even if the drawings accurately represented the relative proportions of the flange 13 and the diaphragm 17, the flange 13 does not cover a minority of the surface area of the diaphragm 17. Applicants have calculated the area of the flange 13 in Figure 2 to be about 0.687 square inches (area of outer disk minus area of hole), and the area of the diaphragm 17 to be about 0.994 square inches. Thus, Figure 2 shows that the flange 13 covers a majority of the area of diaphragm 17. Accordingly, withdrawal of this rejection is requested.

Claims 5-7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Moorehead in view of U.S. Patent No. 5,944,698 to Fischer et al. Since Fischer does not overcome the deficiencies noted above with respect to Moorehead, Applicants submit that claims 5-7 are patentable for at least the same reasons given above.

In light of the foregoing, Applicants respectfully submit that all of the pending claims are in condition for allowance. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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By:

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